2. J. H. Reagan

TEXAS.

1. Sam. R. Curtis. † 2. Timothy Davis +

WISCONSIN.

1. John F. Potter. † 3. C. Billinghurst, *+

The following members have been elected to

epresent Minnesots, upon her admission as a

State into the Union: George Becker, W. W.

Delegates from the Territories.

Minnesota, W. W. Kingsbury; Oregon, Jo

eph Lane; New Mexico, M. A. Otero; Utah,

John M. Bernhisel; Washington, I. I Stevens;

Kansas, M. J. Parrott; Nebraska, F. Feren

* Members of the present Congress.

Phelps, and - Kavanagh-all Democrats.

CALIFORNIA. 1. Charles L. Scott. 2. J. C. McKibben

WASHINGTON, D. C.

THIRTY-FIFTH CONGRESS, FIRST SESSION.

Tuesday, December 8, 1857. SENATE.

The message from the House, announcing its organization, having been received, Messrs. Bright, Bigler, and Collamer, were appointed to join the House committee to wait on the President of the United States. Mr. Bright subsequently reported that the President would immediately send in his annu-

al meisage. It was received accordingly, and read. Mr. Douglas submitted an order for the printing of the usual number of copies of the President's message and accompanying documents, and also for the printing of fifteen thousand extra copies for the use of the Senate.

Mr. Douglas expressed his dissent from that portion of the message relating to Kansas and the action of the Lecompton Convention; and, at an early day, he should express his views, and give the reason why he believed the people declared, perfectly free to regulate their institu-

tions in their own way.

Mr. Gwin proposed that the usual number of copies of the documents be printed by the printer to the Senate at the last Congress, and that all the other orders shall be printed by the same

Mr. Stuart concurred in the views of Mr Douglas respecting Kansas. He believed that United States and the fundamental principles the principles of the Kansas and Nebraska act of liberty upon which our institutions rest. I had been violated by the Lecompton Conven-

Mr. Davis, of Mississippi, was understood to concur in the views of the President concerning

Mr. Bigler said that, after Mr. Douglas should make his promised remarks, he should Mr. Seward hoped the defenders of the Pres ident would explain the latter's position as early

as possible. He regarded the message as lame Mr. Mason maintained that, if he understood

the President's message, the President's posi-tion relative to the Lecompton movement was Mr. Trumball denied the authority of the Legislature of Kaneas to authorize the calling of the Convention to frame a Constitution. It

authority to authorize the Convention. Mr. Brown, of Mississippi, appealed to Sena tors to sleep on this document before expressing their opinions upon it.

On his motion, the Senate then adjourned. HOUSE. Mr. Clemens, by consent, made a persons

explanation, and caused certain correspondence to be read, in substance—that Mr. Faulkner had written to him a letter, asking for the data on which he had made certain remarks in caucus, affecting the character of Mr. Wendell, the public printer. Mr. Clemens agreed to the suggestion of Mr. Faulkner, that Mr. Wendell protest against it. ould be heard in his own defence.

The statement made in writing by Mr. Clen ens embraced the fact that, on Saturday last he was approached by an individual who said Mr. Clemens's mother should receive a pecuni ary consideration on either of two contingen cies, namely: that he should vote for Mr Wendell, or not at all. Mr. Clemens brand ed the person as a scoundrel, but, for the sake of the man's family, he concealed hi name. He said he was willing to take Mr. Wendell's disclaimer, that he (Mr. Wendell) never authorized nor had he any personal knowledge of any person being employed to procure votes for him. Mr. Smith, of Virginia, proposed to postner

the election of public printer, and to appoint a committee to examine into the subject.

Pending the subject, the President's annua message was received and read. The debate on the printer was then resumed and the House adjourned without coming to a conclusion upon the subject.

Wednesday, December, 9, 1857. SENATE

After some preliminary business, Mr. Douglas delivered his promised speech upon that part of the message having reference to Kansas: Mr. Douglas's Speech.

The Senator commenced by saying that the President had made an unanswerable argument against the Lecompton Constitution, but he has fallen into a fundamental error in supposing that by the Kansas Nebraska act only the Slavery question was referred to the people. To show the error of Mr. Buchanau, the Senator not recollect its peculiar provisions. I know gave the history of the passage of the bill, al luded to the pledges given at the time to the people of the country, and the instructions of made by a political party, and not by the peo-Governor Walker. The Presidential election ple; that it was made in defiance of the authorwas carried upon the understanding, upon the pledge, that the people of Kansas should select their own institutions. He then went on as fol-

Now, let us stop to inquire how they redeem ed the pledge to submit the Constitution to the people. They first go on and make a Constitution. Then they make a schedule, in which they provide that the Constitution, on the 21st of December-the present month-shall be submitted to all the bona fide inhabitants of the Territory on that day, for their free acceptance or rejection, in the following manner, to wit: thus acknowledging that they were bound to submit it to the will of the people, conceding that they had no right to put it into operation without submitting it to the people, providing in the instrument that it should take effect from and after the date of its ratification, and not be fore; showing that the Constitution derives its vitality, in their estimation, not from the authority of the Convention, but from that vote of the people to which it was to be submitted, for their free acceptance or rejection. How is it to be submitted? It shall be submitted in this form: "Constitution with Slavery, or Constitution with no Slavery." All men must vote for the Constitution, whether they like it or not, in order to be permitted to vote for or against Slavery Thus a Constitution made by a Convention that had authority to assemble and petition for a re dress of glievances, but not to establish a Gov ernment—a Constitution made under a pledge of honor that it should be submitted to the people before it took eff et; a Constitution which provides, on its face, that it shall have no validity except what it derives from such submis-sion—is submitted to the people at an election where all men are at liberty to come forward freely without hisderance and vote for it, but no man is permitted to record a vote against it.

That would be as fair an election as some of the enemies of Napoleon attributed to him when he was elected First Consul. He is said to have called out his troops, and had them re viewed by his officers with a speech, patriotic and fair in its professions, in which he said to

"Now, my soldiers, you are to go to the election, and vote freely just as you please. If you vote for Napoleon, all is well; vote against him,

and you will be instantly shot." them vote against it? I presume you have tution as we have made it, take the elective asked many a man this question. I have asked franchise as we have established it, take the a very large number of the gentlemen who banking system as we have dictated it, take the take the Minnesota bill of last session—the one framed the Constitution, quite a number of del- railroad lines as we have located them, take the egates, and a still larger number of persons who gudiciary system as we have formed it, take it are their friends, and I have received the same all as we have fixed it to suit ourselves, and are their friends, and I have received the same ask no questions, but vote for it, or you shall ask no questions, but vote for it, or you shall to be come together and have a fair votes answer from every one of them. I never reask no questions, but vote for it, or you shall to be come together and have a fair votes not vote either for a slave or free State." In that? They say, if they allowed a negative vote, this: all those who are in favor of this Consti the Constitution would have been voted down tution may vote for or against Slavery, as they by an overwhelming majority, and hence the please; but all those who are against this Confellows shall not be allowed to vote at all stitution are disfranchised, and shall not vote

Mr. President, that may be true. It is no part of my parcose to deny the proposition that to the Constitution is disfranchised on the Slavery proposition is submitted. Every man opposed to the Constitution is disfranchised on the Slavery clause. How many are they? They tell that Constitution would have been voted down rery clause. How many are they? They tell if submitted to the p ople. I believe it would you there is a majority, for they say the Conhave be a voted dow by a majority of four to stitution will be voted down instantly, by an

people, merely because it would have been sa voted down by five to one if you had submitted or it? What does that fact prove? Does it not show undeniably that an overwhelming majority of the people of Kansas are unalterably opposed to that Constitution? Will you force it on them against their will, simply because they would have voted it down if you had consulted them? If you will, are you going to force it upon them under the plea of leaving them perfectly free to form and regulate their domestic institutions in their own way? Is that the mode in which I am called upon to carry out the principle of self government and popular sovereignty in the Territories-to force a Constitution on the people against their will, in opposition to their protest, with a knowledge of the fact, and then to assign, as a reason for my tyranny, that they would be so obstinate and so perverse as to vote down the Constitution if

consistion. He says:

diffred about its true meaning on this subject.

E-grawhere throughout the Union they pub-

to the decision of the bona fide people of Kan

cark this: Stad it then been insinuated, from 1 29 quar

ast with the requisitions of the org nic law

for the members of a Convention, they after to

from the people, and to substitute their own wil

for bat of a legally ascertained majorit of their

condituents, this would have been astantly

cou, sir, and I will add, further, had it | senther

intimated from any quarter, and believ. I by the American people, that it would have a bmitted

Slavery clause in such a manner a to com

man to vote that which his const ence did

approve, in order to vote on the Slavery

Mency would have been rejected ; , ad every

he, not only would the idea he e bee

resided, but the Democratic candidat for the

Authort qualification? It qualifies 's by say

if he is an honest man-a qualification confess-

edly in violation of our platform. We are told by the President that our faith and or honor

are pledged that the Slavery clause at ould be

forfeit my faith and my honor in orde to ena-

defraud the majority of that people ou of their

elective franchise? Sir, my honor is ledged

and before it shall be tarnished, I vill take

whatever consequences, personal to my elf, may

come; but never ask me to do an act a rich the

it is not possible to have any vote on the Con

that I would now degrade myself by voti, one

way if the Slavery clause be voted dow, and

another way if it be voted up? I care not how

that vote may stand. I take it for gonted

that it will be voted out. I think I have seen

Why can we not take that bill and

If the Toombs bill does not suit my frie ids.

engilling act, and allow the people of all par-

cores a fair, honest vote, to men of all pa jies,

o come together and have a fair votes and

Why wait for the mockers of an

none

ble a small minority of the people of P ansas to

You may vote on Slavery if you will vote

pledged their faith and honor that they

cheerfully submit the question of Slavery

I had given them an opportunity to be con- time to come? Sir, I deny your right or mine to inquire of these people what their objections to that Constitution are. They have a right to judge for themselves whether they like or dislike it. It is no answer to tell me that the Constitution is a good one and unobjectionable. It is not of Kansas had not been left, as the organic act | satisfactory to me to have the President say in his message that that Constitution is an admirable one, like all the Constitutions of the new States that have been recently formed. Whether good or bad, whether obnoxious or not, is none of my business and none of yours. It is their business, and not ours. I care not what they have in their Constitution, so that it suits them, and does not violate the Constitution of the am not going to argue the question whether the banking system established in that Constitution is wise or unwise. It says there shall be no monopolies, but there shall be one bank of discount in the State, with two branches,

All I have to say on that point is, if they want a banking system, let them have it; if they do not want it, let them prohibit it. If they want a bank with two branches, be it so; if they want twenty, it is none of my business, and i matters not to me whether one of them shall be on the north side and the other on the south side of the Kaw river, or where they shall be. While I have no right to expect to be conulted on that point, I do hold that the people of Kansas have the right to be consulted and to decide it, and you have no rightful authority to deprive them of that privilege. It is no astification, in 'my mind, to say that the prowas an act of usurgation, because there was no isions for the eligibility for the offices of Governor and Lieutenant Governor require twenty years' citizenship in the United States. If men think that no person should vote or hold office until he has been here twenty years, they have a right to think so; and if a majority of the people of Kansas think that no man of foreign birth should vote or hold office unless he has lived there twenty years, it is their right to say so, and I have no right to interfere with them : is their business, not mine; but if I lived there, I should not be willing to have that pro vision in the Constitution without being heard

I have nothing to say about their system of taxation, in which they have gone back, and resorted to the old exploded system that we tried in Illinois, but abandoned because we did not like it. If they wish to try it, and get tired of it, and abandon it, be it so; but if I were a citizen of Kansas, I would profit by the experience of Illinois on that subject, and defeat it if I could. Yet, I have no objection to their having it if they want it; it is their business,

So it is in regard to the free negroes. They provide that no free negro shall be permitted to live in Kansas. I suppose they have a right to I have as much heart in the great ca se that said : say so if they choose; but if I lived there, I | binds us together as a party as any ma ! living. should want to vote on that question. We, in liminois, provide that no more shall come there. I will sacrifice anything, short of princ ple and honor, for the peace of the party; b, if the American Union—that principle for which our This proposition gave rise to a spirited debate, during which Mr. Smith, of Tennessee, bate, during which Mr. Smith, of Tennessee, and we will take care of ours." But we do not say that the negroes ever consequences may result from the continuous have contended from that period down to the present moment to maintain. That principle, the hasis of that Union. to have the right to say whether they will allow them to live there, and, if they are not going to do so, how they are to dispose of them.

So you may go on with all the differen clauses of the Constitution. They may be all right; they may be all wrong. That is a question on which my epinion is worth nothing. The opinion of the wise and patriotic Chie Magistrate of the United States is not worth will be united and irresistible in power. Aban-don that great principle, and the part is not anything as against that of the people of Kansas, for they have a right to judge for themselves; and neither Presidents, nor Senators nor House of Representatives, nor any other power outside of Kansas, has a right to judge rushed upon this question. Why sha it be done? Who is to be benefited? Is the South for them. Hence it is no justification, in my to be the gainer? Is the North to be t e gain mind, for the violation of a great principle of er? Neither the North nor the South as the self government, to say that the Constitution you are forcing on them is not particularly ob right to gain a sectional advantage by rickery noxious, or is excellent in its provisions. Perhaps, sir, the same thing might be said

of the celebrated Topeka Constitution. I do will save the whole difficulty. How in it? one thing: we Democrats, we Nebraska men, Pethaps there may be a large vote. would not even look into it, to see what its provisions were. Why? Because we said it was may be a large vote returned. [Lat thter.] But I deny that it is possible to have a fair vote on the Slavery clause; and I say hat it ity of Congress; that if it was as pure as the Bible, as holy as the ten commandments, yet election, when it is provided unalteral y that we would not touch it, until it was submitted the people cannot vote-when the maje ity are to and ratified by the people of Kansas, in purdi-franchised? suance of the forms of law. Perhaps that To-But I am told on all sides, "Oh, jus" wait; the Pro-Slavery clause will be voted "wn." peka Constitution, but for the mode of making it, would have been unexceptionable. I do not That does not obviate any of my objections; know; I do not care. You have no right to it does not diminish any of them. Yo have no more right to force a free State Cons cution force an unexceptionable Constitution on a people. It does not mitigate the evil, it does not diminish the insult, it does not ameliorate on Kansas than a slave-State Constitution. If the wrong, that you are forcing a good thing Kansas wants a slave-State Constituti a, she has a right to it; if she wants a fre State on them. I am not willing to be forced to do that which I would do if I were left free to judge and act for myself. Hence I assert that Constitution, she has a right to it. It of my business which way the Slavery lause is decided. I care not whether it is vote down there is no justification to be made for this flagrant violation of popular rights in Kansas, or voted up. Do you suppose, after the padges of my honor that I would go for that prion the plea, that the Constitution which they and leave the people to vote as they toose have made is not particularly obnoxious.

But, sir, the President of the United States is mitted to the free acceptance or rejection of the people of Kansas; and that, inasmuch as enough in the last three days to make it e ctain that was the exciting and paramount question, that it will be returned cut, no matter ho, the if they get the right to vote as they please on that subject, they ought to be satisfied; and possib'y it might be better if we would accept

vote may stand. [Laughter.] 4
Sir, I am opposed to that conce n, b, sause it looks to me like a system of trickery at jug-glers, to defeat the fair expression of the will it, and put an end to the question. Let me ask, sir, is the Slavery clause fairly submitted, so that the people can vote for or against it? Suppose I were a citizen of Kanof the people. There is no necessity for owd ing this measure, so unfair, so unjust as it sagainst it? Suppose I were a citizen of Kan-sas, and should go up to the polls and say, "I desire to vote to make Kansas a slave State; here is my ballot. They reply to me, "Mr.

In all its aspects, upon us. Why can we not now do what we proposed to do in the law Con-gress? We then voted through the Senai, an enabling act, called the Toombs bill, belgived in all its aspects, upon us. Why can Douglas, just vote for that Constitution first, if you please." "Oh, no!" I answer, "I cannot nounced to be almost perfect by the Se to be just and fair in all its provisions pro vote for that Constitution conscientiously. I from New Hampshire, [Mr. Hale,] only h did am opposed to the clause by which you locate not like the man, then President of the United not like the man, then President of the United certain railroads in such a way as to sacrifice States, who would have to make the appoint my county and my part of the State. I am opposed to that banking system. I am opposed to out of compliment to the President, add o it a clause taken from the Minnesota act, wich this Know Nothing or American clause in the Constitution about the qualification for office. he thinks should be a general rule, requ I cannot vote for it." Then they answer, "You the Constitution to be submitted to the pole, shall not vote on making it a slave State." I then say, "I want to make it a free State."

They reply, "Vote for that Constitution first, and then you can vote to make it a free State; otherwise you cannot." Thus they disqualify avery free State man who will not first vote for every free-State man who will not first vote for pass a fair bill-the one that we framed ourthe Constitution; they disqualify every slave-State man who will not first vote for the Conselves when we were acting as a unit. Have a That was a fair election. [Laughter.] This stitution. No matter whether or not the voters election is to be equally fair. All men in favor of the Constitution may vote for it—all men those provisions, they reply, "You cannot vote fair vote. They will never be satisfied without against it shall not vote at all. Why not let fair vote on their Constitution. so such commended by the President it his message as a model. Let us pass that a an

for themselves, and I will go with you with 1841. stitution are disfranchised, and shall not vote leasure, and with all the energy I may pos-But if this Constitution is to be f But if this Constitution is to be forced our throats, in violation of the forda-State than it grants to its own. As this State does not allow its own citizens to bring a slave ont meant by us that the owner of a slave could not meant by us that the owner of a slave could here, even in transitu, and to hold him as a slave for any portion of time, it cannot be expected to allow the citizens of another State to do so.

State than it grants to its own. As this State can mot meant by us that the owner of a slave could not meant by us that th one. I sm informe t by men well posted there— overwhelming majority, if you allow a negative fry principles.

own citizens. It declares that "the citizens of settlement in a free State is own citizens. It declares that "the citizens of form and regulate their domestic institutions in settlement in a free State is own citizens. It declares that "the citizens of settlement in a free State is own citizens. It declares that "the citizens of settlement in a free State is own citizens. It declares that "the citizens of settlement in a free State is own citizens. It declares that "the citizens of settlement in a free State is own citizens. It declares that "the citizens of settlement in a free State is own citizens. It declares that "the citizens of settlement in a free State is own citizens. It declares that "the citizens of settlement in a free State is own citizens. It declares that "the citizens of settlement in a free State is own citizens. It declares that "the citizens of settlement in a free State is own citizens. It declares that "the citizens of settlement in a free State is own citizens. It declares that "the citizens of settlement in a free State is own citizens. It declares that "the citizens of settlement in a free State is own citizens. It declares that "the citizens of settlement in a free State is own citizens. It declares that "the citizens of settlement in a free State is own citizens. It declares that "the citizens of settlement in a free state is own citizens. It declares that "the citizens of settlement in a free state is own citizens. It declares that "the citizens of settlement in a free state is own citizens. It declares that "the citizens of settlement in a free state is own citizens. It declares that "the citizens of settlement in a free state is own citizens. It declares that "the citizens of settlement in a free state is own citizens. It declares that "the citizens of settlement in a free state is own citizens. It declares that "the citizens of settlement in a free state is own citizens. It declares that "the citizens of settlement in a free state is own citizens. It declares that "the citizens of

antil I vote for a bank? Is it ft edom of At the conclusion of the honerable gentleon to make your right to vote pon one ion depend upon the mode in which you going to vote on some other question which to connection with it. Is that freedom of man's speech, loud applause and clapping of

attempted to defend the President, and a collo service or labor," &c. on? Is that the great fundamental prinf self-government, for which we combined quial debate between himself and the Illinois truggled, in this body and throughout the Senator commenced. At its close, Senator Bigler was a used up man. he President of the United States has made HOUSE.

A printer was elected-Mr. Steadman, of so't e remarks in his message, which it strikes Ohio. He received 121 votes, and George M. m: it would be very appropriate to read in this he friends and supporters of the Nebraska Kansas act, when struggling on a recent Weston, of the Republic, 89.

Thursday, December 10, 1857.

occasion to sustain its wise provisions before the treat tribunal of the American people, never SENATE. Mr. Seward submitted a resolution, which ies over, directing the joint committee on printing to inquire and report whether any new provisions of the law are necessary to secure the faithful performance, on the part of Congress, ercised over persons as passengers only when of existing contracts, which provide for accurate same without any restriction or que fication wtolever. All were cordially united pon the reports of the debates of the two Houses of jurisdiction. It ceases when the voyage ends,

ongress.

Mr. Douglas gave notice of his intention to grant doctrine of popular sovereignty, which is the tal principle of our free institutions." introduce a bill at an early day to enable the expressly declared by the Supreme Court of the people of Kansas to form a Constitution and State Government, preparatory to their admississippi from prohibiting the importation of te. Jist it would have been a sufficien, complision into the Union.

Mr. Foot gave notice of his intention to introduce a bill making grants of public lands ported, can (not with standing any State law) be to actual settlers. The Senate then went into Executive session.

After the Senate came out of Executive session, an adjournment took place until Monday. HOUSE. The Speaker appointed Mr. Smith of Vin ginia, Mr. Grow, and Mr. Taylor of New York,

Messrs, Nichols, and Smith of Tennessee, and Messrs. Morse and Dowdell, the committee authorized to be appointed to examine into the subject of the public printing, and report such reforms as they may deem advisable. On motion of Mr. Banks, the Speaker was authorized to appoint the standing committees;

who backed him would have been rejectand, in order to afford him an opportunity to President tells us in his messag, that the do so, it was resolved, that when the House adjourn, it will be until Monday. firmed, with costs .- N. Y. Times. he Slavery question should be submitted people, without any restriction or quali-On motion of Mr. Warren, a committee was ordered to be appointed to report when the new n whatever. Does this schedul submit

hall can be occupied.

Mr Dowdell offered a resolution, requesting ministers of the Gospel residing in Washington, alternately to open the daily sessions for the Constitution; but you shall i ot do so ton, alternately to open without doing that." That is a very i sportant the House with prayer. qualification — a qualification that c ntrols a man's vote and his action and his co science,

Mr. Jones, of Tennessee, presented petition against the employment of chaplains by the Government, on the ground of its unconstitu tionality. A debate resulted, during which, in reply to the question, it was stated that various isters had tendered their gratuitous services Mr. Stephens, of Georgia, offered a resolution

which was agreed to, providing for the distri bution, among the new members, of the books heretofore ordered to be printed. The House then adjourned till Monday.

From the N. Y. Com. Adv., Dec. 7th

GOVERNOR WALKER OF SELF-GOVERNMENT The present Governor of Kansas Territory

President, in his message, has said is "forfeit ure of faith-a violation of honor-nd that merely for the expediency of saving the party. was a guest at an annual festival last evening and to the toast of "The Union" responded I will go as far as any of you to save the party. very happily. In the course of his remarks he

"Gentlemen, let us also recollect that there own the throats of the people of Kasas, in which not only lies at the basis of that opposition to their wishes, and in vio tion of our pledge. What great object is to be attained? Cui bono? What are you, o gain cheers] It is the principle that the people of by it? Will you sustain the party by olating every State of this Union, and in those inchoate its principles? Do you propose to k ep the States which, emerging from Territorial pupil party united by forcing a division? & and by age, begin to ascend into the constellation of the doctrine that leaves the people erfectly American States, when they form their first free to form and regulate their institut ons for | Constitutions, shall, with you, the youngest and themselves in their own way, and you party will be united and irresistible in power. Aban-principle of self-government. [Loud cheere.]

"It is a principle, gentlemen, older than the American Union. It is the principle which worth saving, and cannot be saved, firer it saving, and cannot be saved, for it saving and cannot be saved, for it saving. American Union. It is the principle which shall be violated. I trust we are no to be led to the American Union. For as to each one of the Colonies that subsequently became American States, the very principle for which they contended, and which induced them to separate from the mother coun'ry upon a question involving not merely dollars and cents, but simply a small tax on tea, teat scarcely But I am beseeched to wait until I be r from the election on the 21st of Decamber I am told, that perhaps that will put it all right, and small as the question of money was, the prin ciple was deep, was fundamental, was eternal. The principle for which they contended, and which led to that revolution was the principle

of self-government. [Cheers.] "And, gentlemen, permit me to say that the moment when in any one of the States of this Union-either the States now existing or the States incheate—this principle is in the slightest degree departed from, that moment will in troduce the period when will be stricken down the fundamental principles of the American Government-the principles which led us to that revolution; and will have made the first, and I fear the last step back to monarchy and despotism. [Loud cheers.] As to myself, then, gentlemen, for that great principle I have contended all my life; for that principle I have lived, and, God willing, if necessary, for that principle I am ready to die. [Great cheering.]" From the tenor of this language it seems

quite natural to infer that Gov. Walker had in his mind the present difficuty in Kansas, and designed to intimate his settled purpose of adhering to the doctrine of popular severeignty, whatever course the Administration at Washington may have decided to pursue.

THE LEMMON SLAVE CASE

The Decision of Judge Paine Sustained - Slaves not to be held in this State in Transitu. athan Lemmon, pl'ff in error, es The People, ez rel.

This celebrated case, it will be remembered. was first tried before Judge Paine, of the Superier Court, who discharged certain slaves belonging to Mr. Lemmon, on the ground that they could not be held in this State. Mr. Lemmon claimed that he was holding them in trasitu from Virginia to Texas, and by the comity of States he could do so. The Judge, however, decided otherwise, and Mr. Lemmon appealed. An elaborate argument was had, and this morning the Court rendered the following OPINION : By the Court.-The act of the Legislature of

this State, passed in 1817, and re-enacted in parts in 1830, (1 R. S., 656,) declaring that no person held as a slave shall be imported, introduced, or brought into, this State, on any pretence whatsoever, except in the cases herein specified;" and that "every such person shall be free," applies to this case. The slaves in this case were brought from Virginia into this State, and remained here some short time. And although they were only brought here with a view to carry them from this State to Texas, they were (after the exceptions in that article were repealed by a subsequent act) within the prohibition of that act, and are free, if those acts be constitutional. The addition made to the act in the Revised Statutes of 1830 seems to have been it tended to place this beyond doubt, (see section 659.) It is, "Every person born we advance a novel and alarming doctrine as in this State, whether white or colored, shall be FREE, (the capitals are so in the statute,) and In discussing one of the heresies of Free-Soilevery person brought into this State as a slave, ex-cept as authorized in this title, shall be FREE." One of the exceptions mentioned in that title allows a person, not an inhabitant of this State, travelling to or from or passing through the State, to bring his slave here and take him away again, "provided, that if the slave continued here more than nine months," he should be free. be left free to decide on their domestic in itu-

Comity does not require any State to extend | confront Free-Soilers with a great fundamental any greater privileges to the citizes of another principle solemnly settled by the highest judi State than it grants to its own. As this State

Democ ats—ti at it would be voted down by ten to one; same say b, twenty to one.

But is it a good reas n why you should de But is it a good reas n why you should be deemed conclusive.

But is it a good reas n why you should de But is it a good reas n why you should de But is it a good reas n why you should de But is it a good reas n why you should de But is it a good reas n why you should de But is it a good reas n why you should de But is it a good reas n why you should de But is it a good reas n why you should de But is it a good reas n why you should de But is it a good reas n why you should de But is it a good reas n why you should de But is it a good reas n why you should de But is it a good reas n why you should de But is it a good reas n why you should de But is it a good reas n why you should de But is it a good reas n why you should de But is a good reas n why you should de But is it a good reas n why you should de But is a good reas n why you should de But is a good reas n why you should de But is a good reas n why you should de But is a good reas n why you should de But is a good reas n why you should de But is a good reas n why you should de But is a good reas n why you should de But is a good reas n why you should clare it in force, without being submitted to the very clause to a minority of the people of Kan- c most act with you and preserve my faith and tion above stated. It gives to the citizens of a prohibited Slavery would be deemed conclusive

and leaving that minority free t, vote for my honor, I will stand on the great principle sister State only the same privileges and immupor of his purpose to abide by its laws. The nities in our State which our laws give to our result, however, is entirely different, when the nities is a fair more of sub-right of all people to be left perfectly free to own citizens. It declares that "the citizens of settlement in a free State is only temporary.

against assault from any and all quarters. No mortal man shall be responsible for my action if you tell me that I shall not v. te either no man.

The closes of a person held to service or labor, against assault from any and all quarters. No mortal man shall be responsible for my action is a legatimate and necessary deduction from the case of a person voluntarily of the United States recognises and guaranties but myself. By my action, I will compromit if you tell me that I shall not v. te either no man. construction, be extended to such a case. It to which exception is taken; and the inference hands resounded through the crowded galleries. State, under the laws thereof, escaping into trine that State in defiance of its laws, is wholly gra-After the delivery of this speech, Mr. Bigler regulation therein, be discharged from such tuitous and unwarranted .- Union.

> The clause of the Constitution giving to Congress power "to regulate commerce with forand with the Indian tribes," confers no power on Congress to declare the status which any person shall sustain while in any State of the Union. This power belonged originally to each State, by virtue of its sovereignty and independent character, and has never been surrendered It has not been conferred on Congress, or forbidden to the States, unless in some provisions in favor of personal rights; and is, therefore, restrained by each State, and may be exercised, at anchor.' as well in relation to persons in transitu, as in relation to those remaining in the State.

The power to regulate commerce may be exon the ocean, and until they come under State and then the State laws control.

sissippi from prohibiting the importation of slaves into that State, for the purpose of sale. The same court has held that goods, when imsold by the importer in the original packages. It follows, that the power to regulate commerce confers on the United States some check on the State legislation, as to goods or merchandise after it is brought into the State, but none as to persons after they arrive in such State.

If this could be regarded in the case of the slaveholding States a police regulation, it may also be so regarded as to the free States; they consider (as the legislation of this State fo many years has shown) that the holding of slaves in this State, for any purpose, is injurious to our condition and to the public peace, as it is opposed to the sentiment of the people of The judgment or order below should be af-

PUBLIC MEETING IN KANSAS.

From the Lawrence Republican Extra, Nov. 20. At a large and enthusiastic meeting, held at the Unitarian Church, in Lawrence, in accordance with a previous notice, on the evening of the 19th instant, for the purpose of consulting as to the action of the people of Kansas in the present exigency, Mr. E. B. Whitman was chosen chairman, and Norman Allen, secretary. After a few introductory remarks by the chairman, explanatory of the object of the meeting, man, explanatory of the object of the meeting, he introduced General J. H. Lane, who was most enthusiastically received. General Lane spoke nearly an hour, setting forth the present position of affairs in Kansas, in that very forcible manner peculiar to this gentleman, and closed by urging the necessity of presenting a firm and unbroken front, and of determined and efficient action, by the Free State party, in opposition to the admission of Kansas under

so called Lecompton Constitution. Gov. Robinson next responded to the call of he would be in favor of pursuing, and the action he would like to see taken by the Free State Delegate Convention which is to assemble at Lawrence on the 2d of December. Before he completed his remarks, a resolution was of-

ense of the meeting. Col. W. A. Phillips, Dr. S. B. Prentiss, W. Hutchinson, Gen. J. H. Lane, and Dr. Newman, were appointed as such committee, which, after consultation, presented the following report, which was received, and after being discussed by Messrs. Robinson, Lane, Taylor, L. Allen, Parsons, Elliott, J. Speer, Mallory, and others, and adopted seriatim, were adopted as a whole,

without a dissenting voice:
Whereas a body of men, claiming to act as a Constitutional Convention, have presumed to frame a State Constitution for Kansas, without submitting the same to a vote of the people; And whereas they were elected by a smal minority of the people of this Territory, and represent interests that were signally defeated by an overwhelming vote in the recent October

And whereas they have framed a partisar Constitution, obnexious to the people, and have originated a vile swindle, of pretended submission, to deceive Congress and accomplish their wicked purposes: Therefore,

Resolved, That, holding it not too late, we once more tender fraternal relations to these misguided men, and to secure such, urge them, by every sentiment of honor and justice, to desist from such dangerous and treasonable prac

Resolved, That, should they persist in their course, we hereby declare them traitors to the legitimate Government of the people, enemies to the public peace, and outlaws to the general security they have violated. Resolved, That the Lecompton Constitution

is a gross violation of the expressed wishes of the people of Kansas; that it is a fraud, and begotten of fraud, and we solemnly pledge our selves to resist to the last all attempts to thrus it upon us.

Resolved, That while we recognise the right

of any respectable body of men to originate steps to secure an organic law for the future State, we repudiate the so-called election pro-posed to be held on the 21st of December next, as a farce and a swindle. Resolved, That the proposed assumption of

executive power by the creatures of the Lecompton Convention, without the sanction of the people, and in violation of Federal authority, is dangerous to the interests and peace o Kansas, and the most extraordinary occasion that could demand the prompt action of the legislative and executive departments of the Government.

Resolved, That we have reason to expect from the Territorial Executive an immediate call for a special session of the Territorial Legislature; but should the promises given to us from that quarter fail, we hereby respectfully suggest to Governor Charles Robinson the propriety of calling a special session of the State Legislature at the earliest moment.

The following resolution was also offered and passed unanimously: Resolved, That we recommend the appointment of a Local Vigilance Committee, and that we pledge curselves to respond to the calls and sustain the action of that committee, whatever that action may be.

General Lane offered the following : Resolved, That we will meet with the people of Leavenworth in their Mass Convention or the 27th instant.

After which, the meeting adjourned, the most entire earnestness and unanimity of feeling having prevailed throughout. NORMAN ALLEN, Secretary.

The Basis of Slavery-Explanation of the Union.

The Chicago Times, and some one or two

other papers of like proneness to find fault with

the Union, are grievously exercised over one of to the extension of Slavery into the free States ism, we restated the constitutional principle recognised in the Dred Scott case, which deter mined that the owner of a slave does not lose the title to his property by carrying him into a State whose laws prohibit the existence of Sla very. In stating this principle, our language may have been less guarded than it should hav been, considering the readiness of such journals Union; but we had no other purpose than to cial tribunal known to our Government. It was

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is, "no person held to service or labor in one State, under the laws thereof, escaping into trine that Slavery could be established in any J.A. Bayerd.

Mr. Bildad Jones, mate of the Connecticut river schooner Sally Anne, walked aft, and adnations and among the several States, dressed the Captain—
with the Indian tribes." confers no power "Captain Spuner, if you keep the skuner on this course, you'll have her hard aground on

them flats." Whereto the Captain-"Mr. Mate, you jest go forward, and 'tend to John B. Thompson*
John J. Crittenden* your part of the skuner, and I'll tend to mise." Bildad went forward, let go the anchor, walked

Judah P. Benjamin aft, and reported-Captain Spaner, my part of the skuner is

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